

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: TULLEY et al.

Serial No.: Not Yet Assigned

Filing Date: December 8, 2003

For: SYSTEMS AND METHODS WHEREIN
A LOTTERY NUMBER COMBINATION
IS ASSOCIATED WITH A LIMITED
NUMBER OF OCCURRENCES

) Examiner: Not Yet Assigned
)
) Group Art Unit: Not Yet Assigned
)
) Attorney Docket No: 00-019-C1
)
) **CUSTOMER NO.: 22927**
)
)
)
)
)
)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope with sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 12/08/03 By:


Michael D. Brinton

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

- [] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;

☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify:

☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ Please accept payment of the fees due as indicated below:

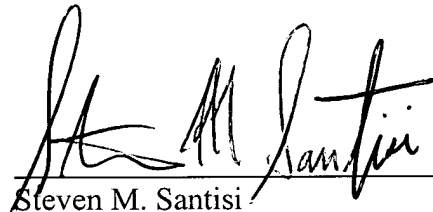
☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

☐ The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

11. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

12. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,



Steven M. Santisi
Attorney for Applicants
Registration No. 40,157
Walker Digital, LLC
Santisi@walkerdigital.com
(203) 461-7054/phone
(203) 461-7300/fax

December 8, 2003
Date

INFORMATION DISCLOSURE CITATION	Docket Number	00-019-C1	Serial Number	Not Yet Assigned
	Applicants TULLEY et al.			
	Filing Date December 8, 2003		Group Art Unit Not Yet Assigned	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	A	4,398,708	08/16/83	Goldman et al.	270	18	
	B	4,665,502	05/12/87	Kreisner	364	900	
	C	4,852,268	08/01/89	Sutherland et al.	33	562	
	D	4,922,522	05/01/90	Scanlon	379	95	
	E	5,157,602	10/20/92	Fields et al.	364	412	
	F	5,791,990	08/11/98	Schroeder et al.	463	17	
	G	5,830,063	11/03/98	Byrne	463	18	
	H	5,855,514	01/05/99	Kamille	463	17	
	I	5,910,047	06/08/99	Scagnelli et al.	463	17	
	J	5,954,582	09/21/99	Zach	463	25	
	K	5,996,997	12/07/99	Kamille	273	139	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	L	"Hitting the Pennsylvania Lottery \$100 Million Jackpot: How to Make the Most of the Odds", PR Newswire, April 25, 1989.
--	---	--

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION		Docket Number 00-019-C1	Serial Number Not Yet Assigned
		Applicants TULLEY et al.	
		Filing Date December 8, 2003	Group Art Unit Not Yet Assigned
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)			
	M	"New National Phone Service Helps Lotto Players Increase Their Chances of Winning", PR Newsletter, January 17, 1990.	
	N	"Grapevine", Time, January 22, 1990, Section: Nation, pg. 25.	
	O	Cochrane, Lynn, "fever to spot one millionaire", The Scotsman, November 12, 1994, pg. 5.	
	P	"How I'll Break Lottery Bank; Punter Says He Can Win Again; Irish Lottery Heist Mastermind Warns of Syndicate Hits On National Lottery", Daily Mirror, November 18, 1994, Section: News pg. 2.	
	Q	"First Double Lotto Jackpot Pays Out Big; Search is On for \$16 Million Ticket Holder", PR Newswire, September 1996, Section: State and Regional News.	
	R	"A better bet than most: Premium bonds:", Financial Times (London), August 30, 1997.	
	S	"Our Opinion State scamming lottery buyers", York Daily Record, April 9, 1998, pg. A14, ISSN: 1043-4313.	
	T	"A numbers game", The Boston Globe, August 1, 1998.	
	U	Broom, Jack, "State Revving Up Lottery Sales With Chances to Win SUVs", The Seattle Times, June 2, 1999, Section: Local News, pg. B1.	
	V	"Maxnet – MXNT and www.MyBestBet.com in Promotion Agreement", Business Wire, July 14, 1999.	
	W	"How small is a bit?", EXE, September 1, 1999, Section: Techniques, pp. 29-36.	
	X	"Lotto prize \$1000 a day", The Press (Christchurch), November 16, 1999, Section: News, National, pg. 3, In Brief News.	
	Y	Mcgurran, Aidan, "www.lottery.com; Tycons Bid For Net Jackpot", The Mirror, February 7, 2000, Section: News, pg. 17.	
	Z	"Charities bet on lottery", Gloucestershire Echo, February 12, 2000, Section: News, People, pg. 17.	
EXAMINER		DATE CONSIDERED:	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			

INFORMATION DISCLOSURE CITATION		Docket Number	Serial Number
		00-019-C1	Not Yet Assigned
		Applicants	
		TULLEY et al.	
		Filing Date	Group Art Unit
		December 8, 2003	Not Yet Assigned
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)			
AA	"Star Kiki to launch lottery", Express & Echo (Exeter), February 22, 2000, Section: pg. 12.		
BB	"NCR Relationship Technology Solutions Deliver The Power to Know Millions of Customers, Suppliers, Partners; NCR at CeBIT 2000 in Germany", PR Newswire, February 23, 2000, Section: Financial News.		
CC	"Frequently Asked Questions About UK National Lottery Tickets", (http //lottery merseyworld com/Info/FAQ_tickets html), download date: April 3, 2000.		
DD	"Let the New Global Lottery maineea Begin; Pool of Luck Private Partnership Lottery Program", (http //www automatedbiz com/poolofluck/completeinfo htm), download date: April 14, 2000.		
EE	"The UK National Lottery Lucky Dip", (http //lottery merseyworld c.../lottery?), download date: April 28, 2000.		
FF	"Newton's Telecom Dictionary", CMP Books, New York, 2001, pg. 217.		
EXAMINER		DATE CONSIDERED:	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			